

रजिस्टर्ड नं० पी०/एस० एम० 14.



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, 23 फरवरी, 1980/4 काल्पुन, 1901

हिमाचल प्रदेश सरकार

परिवहन विभाग

अधिसूचनाएं

शिमला-2, 11 जनवरी, 1980

संख्या 6-55/77-टी० पी० टी०.—मोटरयान अधिनियम, 1939 (अधिनियम 4, 1939) की द्वारा 63 की उप-धारा (3 ए) द्वारा प्रदत्त शक्तियों को प्रयोग में नाते हुए, राज्यपाल, हिमाचल प्रदेश, पंजाब, हरियाणा, हिमाचल प्रदेश, जम्मू तथा काश्मीर राज्य तथा दिल्ली संघ राज्य के बीच मालवाहन गाड़ियों के लिये परस्पर प्रस्तावित करार, उक्त उप-धारा की अपेक्षानुसार, इसमें प्रभावित हो सकने वाले व्यक्तियों की जानकारी के लिये एतद्वारा हिमाचल प्रदेश राजपत्र में प्रकाशित किया

जाता है और इस के द्वारा सचना दी जाती है कि इस अधिसूचना के राजपत्र हिमाचल प्रदेश में प्रकाशित होने की तिथि से तीस दिन की अवधि बीत जाने के बाद, उक्त प्रस्तावित करार पर विचार किया जायेगा। निर्धारित अवधि की समाप्ति के पहले उक्त करार के सम्बन्ध में किसी व्यक्ति से जो भी आपत्ति या सुझाव प्राप्त होगा, उस पर राज्य सरकार विचार करेगी।

DRAFT FREE ZONE AGREEMENT FOR GOODS CARRIERS BETWEEN THE STATES OF PUNJAB, HARYANA, HIMACHAL PRADESH, JAMMU AND KASHMIR AND DELHI.

This agreement made this.....day of.....One thousand, nine hundred and eighty between the Governor of Punjab of the one part, the Governor of Haryana of the second part, the Governor of Himachal Pradesh, the third part, the Governor of Jammu and Kashmir of the fourth part and the President of India for and on behalf of Union Territory of Delhi of the fifth part.

2. Whereas by an agreement dated the 1st October, 1978 between the parties of the first, second, fourth and fifth parts, the said parties entered into a Free Zone Agreement for Goods carriers in the interest of promotion of inter-state goods transport, it is necessary to enter into an Agreement to provide for free and un-restricted movement of goods vehicles within the territories of the reciprocating State viz. Jammu and Kashmir, Punjab, Haryana and Union Territory of Delhi.

3. And whereas the party of the third part applied to be joined to participate in the benefit of the said Free Zone Agreement and the remaining parties have agreed to the same.

4. And whereas by mutual agreement the parties hereto have agreed to modify the terms and conditions of the said agreement dated 1st October, 1978 and to enter into a fresh agreement as herein contained in partial modification of the existing agreement i.e., 1st October, 1978.

IT IS NOW AGREED BY AND BETWEEN THE ABOVE PARTIES AS FOLLOWS:—

- (i) That this Free Zone Agreement shall be enforced from 1st April, 1980 and shall be valid upto 31st March, 1983.
- (ii) It may be renewed for such further period as may be mutually agreed to by all the signatories to this agreement.
- (iii) The Transport Authorities of the reciprocating States shall issue any number of Public Carrier Permits valid for the territory of the other States.
- (iv) A Public Carrier operating under this agreement shall be free to operate without restriction of routes in the Home State whereas while operating in any area in the other States, it shall not pick up or set down goods between any two points lying wholly within the jurisdiction of reciprocating state i.e. in such case Public Carrier shall be prohibited from carrying on any Intra-State business.
- (v) All vehicles operating under this agreement shall comply with the restrictions regarding pay load and wheel with the restrictions regarding pay load and wheel base imposed from time to time by the respective States. Each state will intimate to the other participating States, as soon as possible, the latest notification regarding restrictions of wheel base and pay load etc.

- (vi) The public carriers plying under this Agreement shall at all times carry:—
 - (a) Certificate of Registration.
 - (b) Certificate of fitness.
 - (c) Certificate of Insurance.
- (vii) The public carriers plying under this Agreement shall be pointed on left and right side of the body with a white circular disc, of not less than 30 cms in diameter with words 'Free Zone' in black written on the disc.
- (viii) The public carrier permit covering the vehicle shall not be valid for the other State, without countersignatures. The Transport Authorities of Home State will recommend to the Transport Authorities of other States for allowing countersignatures as per provisions of the Motor Vehicles Rules of the reciprocating States.
- (ix) The reciprocating States shall accord recognition to the Token tax, Registration Certificates, Certificate of Fitness and Certificate of Insurance etc. of the Home State in respect of vehicle plying in accordance with this agreement.
- (x) The goods tax shall be payable at such rate as is applicable in the Home State and to the other States at the rate prevailing in that State. The goods tax shall be realized in advance by the Home State in respect of other States through crossed demand drafts and shall be remitted by the Home State to the concerned States.
- (xi) For the purpose of this year, the term 'Year' shall be deemed to be the year commencing from 1st April, 1980.
- (xii) For the purpose of this Agreement each of the five parties hereto shall be deemed to be a 'State'.

- | | |
|--|---|
| 1. Sd/-
Secretary to the Government of Punjab,
Transport Department, Chandigarh. | 3. Sd/-
Secretary to the Government of
H. P. Transport Department. |
| 2. Sd/-
Secretary to the Government of
Haryana, Transport Department. | 4. Sd/-
Secretary to the Jammu and
Kashmir Transport Department,
Srinagar. |
| | 5. Special Secretary (Tpt.) Delhi
Administration, Delhi. |

ग्रन्था-171002, 22 जनवरी, 1980

संख्या 9-11/77 टी० पी० टी०.—मोटर व्हीकल्ज एक्ट, 1939 (क्रमांक 4 नं 1939) की धारा 70 की उपधारा (2) के द्वारा प्रदत्त शक्तियों तथा इस सम्बन्ध में अन्य सभी शक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश, पंजाब मोटर व्हीकल्ज एक्ट, 1940, जैसे कि हिमाचल प्रदेश में लागू है, के नियम 5.14 में संशोधन हेतु प्रस्ताव का प्रारूप सर्वसाधारण के सूचनार्थ उक्त अधिनियम की धारा 133 की उपधारा (1) के अन्तर्गत राजपत्र में प्रकाशित करते हैं।

एतद्वारा सूचना दी जाती है कि उक्त प्रस्ताव तथा अन्यवेदन, यदि कोई हो, पर मध्योहस्ताक्षरी द्वारा राजपत्र हिमाचल प्रदेश में इस अधिसूचना के प्रकाशित होने के तीस दिन के पश्चात सरकार द्वारा विचार किया जाएगा।

संशोधन प्रारूप

पंजाब मोटर व्हीकल संघ, 1940, जैसा कि हिमाचल प्रदेश में लागू है, के तियम् 5.14 में निम्न उप-नियम (3) जोड़ा जाएगा :—

- "(3) Subject to the provision of sub-rule (1); the smoke density of the diesel motor vehicles shall,
- (a) while operating in urban areas, not exceed 65 Hartridge smoke units as measured by free acceleration method or 5.2 Bosch or 75 Hartridge smoke units as measured by full load method; and
- (b) while operating in non-urban areas, not exceed 70 Hartridge smoke units as measured by free acceleration method or 5.5 Bosch or 80 Hartridges smoke units as measured by full load method".

सिमला-2, 23 जनवरी, 1980

लेटर ल-1-79 (सरिवहन)।—मोटरवान अधिनियम, 1939 (1939 का 4) के वारा 111-125 द्वारा इस लाइसेंस का प्रदेश करने हुए राज्यपाल, हिमाचल प्रदेश, पंजाब मोटर व्हीकल संघ 1940 जो हिमाचल प्रदेश के उन क्षेत्रों में 1-11-1966 में पूर्व हिमाचल प्रदेश के संसदिय द्वारा प्रस्ताव IX के नियम 19 में निम्न संशोधन करने का प्रस्ताव है; नया इसे अधिनियम हो जाए 133 को उप-भाग (1) को उपेक्षानसार उन भवी व्यक्तियों की जानकारी के लिए इकाईयत किया जा रहा है जिनकी उत्त से प्रभावित होने की सम्भावना है, और इन के द्वारा सह इसका हो जाता है कि इस इसनंदिन संशोधन पर इस अधिसूचना के गतिपत्र में प्रकाशन के बारेहू दे देने को इकाईयत कराया हो जाने पर विचार किया जाएगा। उपरोक्त नील दिन की इसके रखाए हुए दो दूषितव्यक्ति के इकाईयत संशोधन की जावन जो भी आपनि द्वारा कुछाव करके बाकी के रख होये राज्य वरकार उत्त पर विचार करेगी।

स्वामिनी लालोधन

राज्य मोटर व्हीकल संघ 1940 जो हिमाचल प्रदेश के उन क्षेत्रों में लागू है, जो 111-125 के द्वारा दिवाल द्वारा प्रस्ताव IX के नियम 19 में नियमित उपनियम के दोनों भाग —

"Rule 11 Rule 19(3) When the claims Tribunal pronounces the judgments and makes the award, it should read the operative part of the award in the Regional language which is understood by the claimants and it shall also be informed to them that they are entitled to a full amount of compensation which has been awarded to them and that they are not liable to pay any percentage of amount of the compensation as lawyers but have only to pay the fee determined by the Tribunal."

सर ज्ञ विजय
सरकार राज विजय